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12 Attorneys for LEXINGTON INSURANCE COMPANY

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 CENTEX HOMES, a Nevada general
16 partnership,

17 Plaintiff,

18 vs.

19 INTERSTATE FIRE & CASUALTY
20 COMPANY, an Illinois corporation;
LEXINGTON INSURANCE COMPANY, a
Delaware corporation; FEDERAL
INSURANCE COMPANY, an Indiana
corporation; UNDERWRITERS AT
LLOYDS, LONDON, an England corporation;
and FINANCIAL PACIFIC INSURANCE
COMPANY, a California corporation,

21 Defendants.

12 CASE NO. 2:18-CV-01369-APG-GWF

13 **STIPULATION AND |**
14 **ORDER EXTENDING TIME FOR**
15 **LEXINGTON INSURANCE COMPANY**
16 **TO FILE A REPLY IN SUPPORT OF ITS**
17 **MOTION TO DISMISS [FIRST**
18 **REQUEST]**

23 Plaintiff CENTEX HOMES (“CENTEX”) and Defendant LEXINGTON INSURANCE
24 COMPANY (“LEXINGTON”), by and through their attorneys of record, and pursuant to Local Rules
25 6-1(a)(b)(c) and 6-2, hereby stipulate and agree as follows:

26 WHEREAS, CENTEX filed a Complaint on or about July 25, 2018, in the United States
27 District Court, District of Nevada as Case Number 2:18-CV-01369, naming LEXINGTON as a
28 defendant;

WHEREAS, on or about November 12, 2018, LEXINGTON filed a Motion to Dismiss CENTEX's Second Cause of Action for Breach of the Implied Covenant of Good Faith and Fair Dealing and Third Cause of Action for Violations of the Unfair Claims Settlement Practices Act, Nevada Revised Statute section 686A.310 pursuant to Federal Rule of Civil Procedure 12(b)(6);

WHEREAS, CENTEX filed an Opposition to LEXINGTON's Motion to Dismiss on or about November 26, 2018;

WHEREAS, LEXINGTON has requested, and CENTEX has consented to, an extension of time for LEXINGTON to file a Reply in Support of its Motion to Dismiss to December 10, 2018;

WHEREAS, LEXINGTON's handling attorneys are otherwise unavailable during the time frame before the Reply's current due date in order to allow adequate time to prepare a Reply for client review;

WHEREAS, this stipulation is not made for purposes of delay;

NOW, THEREFORE, CENTEX and LEXINGTON, by and through their respective counsel, hereby stipulate and agree that the deadline for LEXINGTON to file a Reply in Support of its Motion to Dismiss shall be extended to December 10, 2018.

16 | DATED: November 27, 2018

PAYNE & FEARS LLP

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21 | DATED: November 27, 2018

HEROLD & SAGER

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IT IS SO ORDERED:

 11/28/2018
